

Charlotte Parking Ordinance

Charlotte City Code

Chapter 2: ADMINISTRATION

ARTICLE II. ENFORCEMENT AND APPEALS

Sec. 2-25. Appeals of civil penalty assessments.

(a) Unless another procedure is established for a particular violation by ordinance or state law, appeals of civil penalty assessments shall be governed by this section.

(b) Any person assessed a civil penalty may appeal by filing a written notice of appeal with the city within 30 days from the date of assessment. Failure to file a notice of appeal within this time period shall constitute a waiver of the right to contest the civil penalty.

(c) Appeals shall be heard by a hearing officer through a quasi-judicial process. The city manager may establish rules and procedures that govern the appeal and quasi-judicial hearing process. Such rules may include a requirement that, for specified violations, a bond equal to the amount of the civil penalty be posted at the time a notice of appeal is filed.

(d) A hearing officer's decision on a civil penalty appeal is subject to further review in the superior court of the county by proceedings in the nature of certiorari. Any petition for writ of certiorari shall be filed with the clerk of superior court within 30 days after the date that the hearing officer's written decision is issued.

(Ord. No. 2447, § 1, 11-24-2003)

Chapter 14: MOTER VEHICLES AND TRAFFIC

ARTICLE II. ADMINISTRATION AND ENFORCEMENT*

Sec. 14-61. Civil penalties.

(a) Except as set forth in subsection (b) of this section, a violation of this chapter may be enforced by the issuance of a civil penalty in the amount of \$25.00.

(b) Notwithstanding subsection (a) of this section, the following violations may be enforced by the issuance of a civil penalty in the amount provided:

- (1) Photographic red light violation, as provided in section 14-188\$ 50.00
- (2) Rush hour parking violation, as provided in section 14-216(a)(1)\$50.00
- (3) Leaving unattended vehicle violation, as provided in section 14-221\$50.00
- (4) Handicapped parking, as provided in section 14-216(a)(2)\$100.00
- (5) Blocking curb cut, as provided in section 14-216(a)(3)\$100.00
- (6) Fire hydrant parking, as provided in section 14-216(a)(4)\$100.00
- (7) Fire station parking, as provided in section 14-216(a)(5)\$100.00
- (8) Fire lane parking, as provided in section 14-216(a)(6)\$100.00
- (9) Pedicabs, as provided in section 14-254\$100.00
- (10) Traffic control by off-duty officers, as provided in section 14-9\$500.00

(c) An additional late fee civil penalty in the amount of \$10.00 may be assessed if the initial civil penalty is not paid or appealed within 30 days from the date of issuance.

(d) Notwithstanding subsection (c) of this section, an additional late fee civil penalty in the amount of \$50.00 may be assessed if the initial civil penalty for a photographic red light violation, as provided in section 14-188, is not paid or appealed within 30 days after notification of the violation.

(Code 1985, § 14-81(a), (b); Ord. No. 2447, § 6, 11-24-2003)

Sec. 14-62. Misdemeanors and infractions.

A violation of the following sections shall not constitute an infraction or misdemeanor punishable under G.S. 14-4: 14-188, 14-216, 14-217, 14-218, 14-219, 14-220, 14-221.

Sec. 14-64. Towing of illegally parked vehicles.

Any illegally parked vehicle may be towed. Any vehicle that has been towed for a parking violation is to be held until the towing fee and penalties related to all outstanding parking tickets and penalties owed to the city are paid in full or a bond is posted in the amount of the towing fee and all outstanding parking tickets and penalties. Payment of the towing fee and all outstanding parking tickets and penalties shall not constitute a waiver of a person's right to contest the towing or the outstanding parking tickets and penalties.

(Code 1985, § 14-82)

Sec. 14-65. Wheel locks.

(a) An illegally parked vehicle for which there are three or more outstanding, unpaid, and overdue parking tickets for a period of 90 days or more may be immobilized through the use of wheel locks. Any vehicle that has been immobilized is to remain immobilized until an immobilization fee and penalties related to all outstanding parking tickets and penalties owed to the city are paid in full or a bond is posted in the amount of the immobilization fee and all outstanding parking tickets and penalties. Payment of the immobilization fee and all outstanding parking tickets and penalties shall not constitute a waiver of a person's right to contest the immobilization or the outstanding parking tickets and penalties.

(b) If a wheel lock is attached to a vehicle, a notice shall be affixed to the windshield or other part of the vehicle so as to be readily visible. The notice shall warn that the vehicle has been immobilized and that any attempt to move the vehicle may result in damage thereto. The notice shall also state the total amount of civil penalties due for parking tickets which are overdue, unpaid, and attributable to such vehicle and that an immobilization fee is also being charged. The address and telephone number to be contacted to pay the charges and have the wheel lock removed shall also be listed. The city shall not be responsible for any damage to an immobilized vehicle resulting from unauthorized attempts to free or move that vehicle.

(c) The director is authorized to establish and revise, from time to time, an immobilization fee in an amount that does not exceed \$50.00.

(Code 1985, § 14-83)